TL 3878

URGENTE

COMISSÃO PARA OS DIREITOS DO POVO MAUBERE - CDPM
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TO: Dr. José Manuel Galião Telles
FROM: CDPM

Lisboa, 25 / 2 /1992

Caro José Manuel

Finalmente, aqui vão as indicaçöes de que nós dispomos quanto à questão dos presos timorenses. Vim agora de Genebra onde recolhi mais informações.

1. Advogados em Portugal
Dr. João Loff Barreto - tem procuração de, pelo menos, um dos presos que está detido em Jacarta (João Freitas da Câmara), pelo facto de ter acompanhado juridicamente o processo dos 4 estudantes que pediram asilo político na Embaixada da Holanda em Outubro de 1986 e anunciou que tinha agora recebido solicitaçöes de outros presos no mesmo sentido, sem revelar nomes. Tomou recentemente algumas iniciativas, entre as quais o envio de uma carta dirigida aos parlamentares portugueses. Contacto: tel. do escritório - 7588375.

2. Advogados na Indonésia
Formou-se uma equipa de 3 juristas, representando 3 organizaçöes, que estão a acompanhar os casos dos presos, em particular dos que se encontram em Jacarta e Bali, pois foram impedidos de visitar os que estão em Dili.
O coordenador da equipa é o Dr. Poncke Princen da organização de Direitos Humanos INFIGHT. Novo endereço da Infight: Jalan Pulo Asem Raya 23 - Jakarta 13220 - Tel. (21) 4711388. Junto cópia das conclusões do documento entregue por esta organização ao enviado especial do SG da ONU (temos cópia do mesmo texto no original em inglês).
O outro jurista é o Dr. Luhut Pangaribuan, representante da organizaçao LBH (Yayasan Lembaga Bantuan Hukum Indonesia - Indonesian Legal Aid Foundation) que tem acompanhado desde há anos, do ponto de vista jurídico, os processos políticos de indonésios da acusados pelo regime; nos últimos dois ou três anos têm tido algum contacto com os estudantes timorenses que estudam na Indonésia e após o massacre de 12 de Novembro têm acompanhado o processo dos presos em Jacarta e Bali (Denpasar), através de: visitas aos presos em Jacarta, quando sao autorizados, tentativas de visita aos presos em Bali (sem sucesso) e em Dili, logo em Novembro (impedidos de sair da Indonésia), disponibilidade para assegurar a defesa dos presos na Indonésia aquando do julgamneto.
O Dr. ABDUL HAKIN NUSANTARA é o Director do LBH. Contactos: Tel.: 62.21.3105518 / 62.21.4214226, o fax está com problemas por agora.
O terceiro jurista é o Dr. Frans Hendra Winarta, de uma outra organizaçäo que não conhecemos bem.
Para mais informaçöes sobre estas organizaçöes ou em caso de dificuldades no contacto directo com Jacarta, o Dr. Jusfiq Hadjar (indonésio exilado na Holanda com quem mantemos contacto desde há mais de 10 anos) pode ser muito útil. Tel. e fax na Holanda: (71) 123866.

3. Entidades que têm acompanhado o caso
a) fontes de informação

Para além das já citadas, TAPOL: the Indonesia Human Rights Campaign. Contactos: Carmel Budiardjo e Liem Soei Liong. Morada: 111 Northwood Road, Thornton Heath, Surrey CR7 8HW, UK. Tel.: (81) 7712904, fax (81) 6530322.

Amnesty International em Londres. Contacto: Victoria Forbes-Adams (no caso de ela não estar e de ser urgente pode-se falar com Wendy Palissa). Tel: (71) 4135661, fax (71) 9561157.

b) organizações que têm tomado posição e (ou) planeado acções

Plataforma Internacional de Juristas por Timor-Leste. Contacto: Dr. Pedro Pinto Leite. Tel. e fax na Holanda: (71) 221065.

Fédération des Droits de l´Homme em Paris. Contacto: Claude Katz. Tel. 48878877. Fax: (1) 45460113.

4. A fazer com urgência

Trouxe de Genebra, onde decorre a Comissão dos Direitos Humanos, o relatório sobre os direitos de todas as pessoas sujeitas a qualquer forma de detenção ou prisão, apresentado pelo Dr. Louis Joinet, presidente do recém-formado Grupo de Trabalho sobre a Detenção Arbitrária. Creio que era importante enviar desde já, de acordo com as regras aprovadas pelo grupo, uma queixa relativa aos presos timorenses. Podemos facultar uma fotocópia do relatório.

Junto seguem as últimas informações sobre os presos.
Estamos à sua inteira disposição para quaisquer esclarecimentos e propomos desde já um encontro para ver que acções podem ser desenvolvidas.

Um abraço

Luísa Teotónio Pereira

ACFOA

AUSTRALIAN COUNCIL FOR OVERSEAS AID

(INCORPORATED IN THE ACT)

ACFOA HUMAN RIGHTS OFFICE
124 Napier St. Fitzroy, 3065
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7 February 1992

Update on East Timorese political prisoners in Jakarta

1. Twenty two East Timorese continue to be detained in the Metropolitan police station in Jakarta. They comprise 21 detainees arrested 19 November 1991 following a peaceful protest over the Santa Cruz massacre and a colleague from Bali, Fernando Araujo, who was transferred to Jakarta after his arrest in Denpasar. The 21 have now been detained for 80 days.

2. Yesterday (6/2/92), reliable sources in Jakarta reported that two of this group have been formally charged with subversion. They are JOAO FREITAS DA CAMARA, regarded by the authorities as the leader of the older students, and FERNANDO DE ARAUJO from Denpasar. They are said to be deeply shocked and upset by this new development, which carries a maximum penalty of death.

Both men have already been charged with criminal offences under articles 154 and 155 of the Criminal Code and the police have completed preparation of evidence against them on these counts. A second investigation has now commenced undertaken by the Public Prosecutor based on the Subversion Law. It is possible that the legal time limits of detention have been exceeded in their case. They are receiving visits and legal advice from the Indonesian Legal Aid Institute.

3. Fernando de Araujo is very weak and sick. He and Joao Freitas da Camara are detained together in one cell separate from the rest of the group with whom they are denied contact. They do not have adequate food, medical attention and support. They receive 3 meals a day but the quality of the food is said to be 'very bad'. As with the other students, it seems a poor diet rather than beatings or torture is being used to weaken their resistance. Both refuse to sign a statement which recognises the incorporation of East Timor, asks pardon of President Suharto, and accepts the Dili killings as a local event with no international significance. It is possible that the charge of subversion is being used to bring extra psychological pressure to bear to sign this apology.

The two men are receiving no attention from the prison doctor who is on leave attending a course. Both are devout Catholics but have had no visit from a priest or other church person. No date has been set for their trial. No family has visited (distance from Dili being a major factor) and it is obviously extremely difficult for members of the East Timorese community in Jakarta to be seen to take an interest in their situation, particularly now that they are branded as subversives.

4. 15 of the rest of the group are said to be ill mainly because of the poor food and lack of vitamins and medical attention.

5. 16 of the group have revoked the apologies they signed on 18 January when they were promised they would be released without conditions if they signed. They feel cheated and lied to. They wish to return to their

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their studies. The other 6 have refused to sign any apologies.

6. Though the situation is somewhat confusing, owing to extensions of time and the role of different jurisdictions, it appears the group can be detained legally until 24 February. This suggests that trials could commence before or on that date, unless there is political intervention to release some or all of them (which cannot be discounted in view of international interest in the cases).

Requests

a. That Australian diplomats in Jakarta visit the detainees in prison and encourage diplomats from other missions to do the same. Several of the students, and Joao Freitas da Camara in particular, are quite well known to sections of the diplomatic community.

b. That Australia urge the Dutch mission, which represents Portugal in Indonesia, to take a particular interest in the case of Joao Freitas da Camara. Joao has a Portuguese passport and has rejected Indonesian citizenship. In 1985 he sought political asylum at the Dutch embassy and voluntarily left following assurances by Dutch diplomats that his wish to leave Indonesia would be acted on.

c. That Australia urge the Japanese government to take a particular interest in Fernando de Araujo. According to Fernando, a Japanese diplomat by the name of Shirota promised him when he sought asylum at the Japanese mission in 1987 that the Japanese government would see he came to no harm.

d. That Australian diplomats in Jakarta observe any trials that take place and encourage diplomats from other missions to do the same.

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